

# CONNECTICUT

## WINNING RESULTS: Cross-Examination Results in PTSD Claim Dismissed



The claimant is a 43-year-old gentleman who was born on September 17, 1979. This matter is established for injuries to the claimant's neck, back, right shoulder, and right wrist. The claimant eventually came under the care of Dr. Robins and at a hearing, the Law Judge found prima facie medical evidence for major depressive disorder.

LOIS attorney, Marigold T. Bridgeman requested the deposition of Dr. Robins on the issue of causal relationship. Dr. Robins was deposed on direct testimony diagnosed not only major depressive disorder but PTSD asserting the claimant reported symptoms of flashbacks to the accident, nightmares and avoidance of stimuli, where the mechanism of injury was merely lifting a heavy bucket, clearly not a traumatic event. During cross examination, the criteria of the DSM-V was reviewed when questioning Dr. Robins and

obtained the concession that the symptoms listed on the report were self-reported.

A psychological IME was conducted which noted that the claimant "appeared to be simulating pathology". A clear indication the claimant is malingering and not credible.

At a recent hearing, the claimant requested the claim be amended to include major depressive disorder and PTSD. The Law Judge agreed that both Dr. Robins and the claimant were not credible based on the self-reported symptoms given the mechanism of injury and Dr. Robins' reliance on the antiquated Rorschach. At the conclusion of the hearing, the Law Judge disallowed the claim for PTSD and major depressive disorder and continued to find a mild disability.



**Marigold Bridgeman**

201.880.7213

[mbridgeman@loisllc.com](mailto:mbridgeman@loisllc.com)